

Sentence Review Division  
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Helena, MT 59620-3005  
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(406) 841-2976

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA

STATE OF MONTANA,	)	Cause No. DC-13-138
	)	
Plaintiff,	)	Flathead County District Court
	)	Montana Eleventh Judicial District
-vs-	)	
	)	<b>DECISION</b>
LANDON KAY ANDERSON,	)	
	)	
Defendant.	)	

On February 28, 2019, the Defendant's deferred four-year sentence for Forgery was revoked. He was sentenced to the Department of Corrections for five (5) years, with no time suspended. The Defendant was given credit for time served of 68 days while awaiting disposition on this matter. Previously, he was granted credit for time served of 14 days for the Revocation and Sentence filed on 05/30/17 and 12 days for the Revocation and Sentence filed on 06/25/2014.

On August 1, 2019, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant appeared by video conferencing from the Great Falls Regional Prison and was represented by Nate McConnell of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that he understood this and stated that he wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.

Therefore, it is the unanimous decision of the Division that the sentence is **AFFIRMED**.

Done in open Court this 1<sup>st</sup> day of August, 2019.

DATED this 30 day of August, 2019.

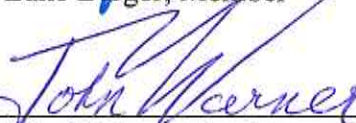
SENTENCE REVIEW DIVISION



Hon. Brenda Gilbert, Chairperson



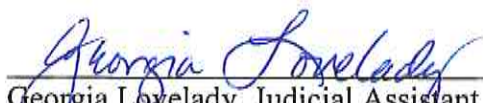
Hon. Luke Berger, Member



Hon. John Warner, Member

Copies mailed this 5<sup>th</sup> day  
of Sept, 2019, to:

Clerk of District Court (Original)  
Landon Kay Anderson #3014053, Defendant (2)  
Hon. Dan Wilson  
Nate McConnell, Defense Counsel  
Stacy Boman, Esq.  
Board of Pardons and Parole  
MSP - Records Dept.

  
Georgia Lovelady, Judicial Assistant  
Sentence Review Division